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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/801,309	03/07/2001	Raymond Severt Barsness	ROC920010075USI	2651
<div>7590 04/24/2007</div> <div>IBM Corporation Intellectual Property Law, Dept. 917 3605 Highway 52 North Rochester, MN 55901</div>				
			EXAMINER DUONG, THOMAS	
			ART UNIT 2145	PAPER NUMBER
			MAIL DATE 04/24/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action Before the Filing of an Appeal Brief	Application No. 09/801,309	Applicant(s) BARSNESS ET AL.	
	Examiner Thomas Duong	Art Unit 2145	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 04 April 2007 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☒ Applicant's reply has overcome the following rejection(s): 101.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: None.
Claim(s) objected to: None.
Claim(s) rejected: 1-5, 7-11, 13-17, and 19-26.
Claim(s) withdrawn from consideration: None.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
Please see the attachment sheets.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____
13. ☐ Other: _____


JASON CARDONE
SUPERVISORY PATENT EXAMINER

DETAILED ACTION

Response to Argument

1. The Applicants' arguments filed on April 4, 2007 have been fully considered, but they are not persuasive.
2. With regard to claims 1, 10, 13, 19, and 23, the Applicants point out that,
 - *The Examiner has admitted that Skinner fails to teach criteria based on the attributes of the observer.*
 - *As such, it fails to teach any method for observer to implement and register criteria based on the attributes of the observer, See Office Action mailed July 18, 2006 at pg. 5, much less the claimed observer-created and controlled aspect objects.*

However, the Examiner finds that the Applicants' arguments are not persuasive because Skinner discloses, *"an embodiment of the invention provides a mechanism for components of an application to specify an interest in one or more data objects"* (Skinner, col.8, lines 13-15). Hence, Skinner teaches of components of an application (i.e., Applicants' observer) specifying the particular data objects that they are interested in. Skinner discloses, *"components of an application are able to specify an interest object with an update management component of the application. The interest object specifies the interested application component, as well as the identity of one or more data objects or an attribute value or range of values to associate with data objects"* (Skinner, col.2, lines 55-61). Hence, Skinner teaches of components of an application (i.e., Applicants' observer) registering (i.e., Applicants'

generating configuration information) an interest object (i.e., Applicants' aspect object) with an update management component of the application (i.e., Applicants' subject) by "[specifying] the interested application component, as well as the identity of one or more data objects or an attribute value or range of values to associate with data objects" (Skinner, col.2, lines 58-61), so that "when modifications are made to data objects corresponding to the registered interested objects, the interested application component or components receive an update notification form the update management component" (Skinner, col.2, lines 61-65).

In addition, Skinner discloses, "in step 603, the interested application component is registered as an observer of the interest object" (Skinner, col.13, lines 2-4). Hence, Skinner teaches of the interested application component (i.e., Applicants' observer) is registered (i.e., Applicants' generating configuration information) as an observer of the interest object (i.e., Applicants' aspect object) by specifying its attributes such as its name, identification, and other criteria. These attributes are registered so that "when modifications are made to data objects corresponding to the registered interested objects, the interested application component or components receive an update notification form the update management component" (Skinner, col.2, lines 61-65).

Furthermore, upon reviewing the Applicants' specification, the Examiner cannot find any reference to the limitation of "the configuration information comprising an attribute of the observer". Please point out the location of the limitation in the specification.

3. With regard to claims 1, 10, 13, 19, and 23, the Applicants point out that,

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- *Skinner fails to teach observer created and controlled aspect objects.*
- *As such, it fails to teach any method for observer to implement and register criteria based on the attributes of the observer, See Office Action mailed July 18, 2006 at pg. 5, much less the claimed observer-created and controlled aspect objects.*

However, the Examiner finds that the Applicants' arguments are not persuasive because Skinner discloses, "*components of an application are able to specify interest in a data object or set of data objects by registering an interest object with an update management component*" (Skinner, col.2, lines 55-58). Hence, Skinner teaches of components of an application (i.e., Applicants' observer) registering (i.e., Applicants' creating and attaching) an interest object (i.e., Applicants' aspect object) with an update management component of the application (i.e., Applicants' subject). In addition, Skinner discloses, "*mechanisms are also provided for refining the set of data objects specified in a given interest object or for providing a new interest that is the union of two or more existing interests. Interest refinement may be performed by specifying further interest criteria, for example, by registering a refinement object under an existing interest object, or by registering another interest object as a sub-interest object of an existing interest object*" (Skinner, col.9, lines 1-8). Hence, Skinner teaches of the components of an application creating interest objects. In addition, Skinner discloses, "*notification of the change is sent to those application components whose interest criteria matches the changed data object*" (Skinner, col.8, lines 29-31). Hence, Skinner teaches of notifying of the change (i.e., Applicants' selectively communicating) in the interested object to the application

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components (i.e., Applicants' observer) whose interest criteria matches the changed data object (i.e., Applicants' based on the configuration information).